

Message Text

CONFIDENTIAL

PAGE 01 MANILA 03601 300726 Z

12

ACTION EA-14

INFO OCT-01 ADP-00 PM-09 L-03 DODE-00 CIAE-00 INR-10

NSAE-00 RSC-01 SNM-02 SCA-01 BNDD-05 JUSE-00 TRSE-00

RSR-01 /047 W

----- 061618

R 300643 Z MAR 73

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 4108

INFO CINCPAC

CINCPACFLT

COMUSNAVPHIL/ SUBIC

COMUSNAVBASE/ SUBIC

NAVY JAG

C O N F I D E N T I A L MANILA 3601

REF: STATE 051285

BEGIN SUMMARY: EMBASSY APPRECIATES ACKNOWLEDGEMENT OF ITS AND GOP EFFORTS TO REDUCE NUMBER OF NAVAL PERSONNEL ON INTERNATIONAL LEGAL HOLD AT SUBIC NAVAL BASE. CONTINUING HIGHER FIGURE THAN NORMAL DUE TO FACT OF ONE-THIRD INCREASE IN SHORE LEAVES DURING 1972, AS WELL AS APPARENTLY INCREASED DRUG USE BY NAVAL PERSONNEL. GOP DEPT OF JUSTICE AUTHORIZATION OF BROADER DISMISSAL POWERS FOR FISCAL HAS HELPED GREAT DEAL AND EMBASSY WILL CONTINUE PRESS FORMER TO INCREASE FISCAL STAFF AND TAKE OLDER APPROPRIATE MEASURES TO REDUCE HOLD LIST.

1. EMBASSY GRATEFUL FOR DEPT OF NAVY APPRECIATION FOR ITS EFFORTS COMBINED WITH THOSE OF GOP DEPT OF JUSTICE, OLONGAPO FISCAL OFFICE AND OTHERS REDUCE LEGAL HOLD LIST AT SUBIC NAVAL BASE FROM 172 IN JANUARY 1973, TO 127 AS OF MARCH 16.

2. THIS REDUCTION PRIMARILY DUE TO JUSTICE SECRETARY'S AUTHORIZATION OF OLONGAPO FISCAL TO DISMISS VIRTUALLY ALL DRUG CASES FALLING IN CATEGORY OF FIRST OFFENDERS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 03601 300726 Z

AND SOFT DRUG USAGE. IN MARCH 2 CRIMINAL JURISDICTION IMPLEMENTATION COMMITTEE MEETING, DISCUSSION OF THIS SUBJECT NOTED EFFORTS ON PART OF ENFORCEMENT AUTHORITIES TO AVOID WHOLESAL TYPE OF ARRESTS THAT HELPED CONTRIBUTE TO INCREASED NUMBER OF NAVAL PERSONNEL ON HOLD. BASIC CAUSE FOR RISE ATTRIBUTED TO SUBSTANTIAL INCREASE OF PERSONNEL AT SUBIC (3.3 MILLION SHORE LEAVE DAYS IN OLONGAPO IN 1972 COMPARED TO AROUND 2 MILLION AVERAGE FOR PREVIOUS YEARS) AS RESULT HEIGHTENED VIETNAM ACTIVITY. THE OTHER PRINCIPAL CONTRIBUTORY FACTOR TO 1972 EXPANSION OF HOLD LIST WAS APPARENT INCREASED DRUG USE ON PART OF FLEET PERSONNEL.

3. IT IS EMBASSY'S EXPECTATION THAT SUBIC'S HOLD LIST WILL CONTINUE TO DIMINISH IN THE COURSE OF 1973 FOUNDAMENTALLY BECAUSE THE PACE OF ACTIVITY AT THE BASE HAS ALREADY DIMINISHED CONSIDERABLY FOLLOWING THE VIETNAM CEASEFIRE. BUT ONE MUST KEEP IN MIND THAT HOLD LIST ALSO INCLUDES CERTAIN NUMBER OF MILITARY PERSONNEL WHO MANAGE TO GET THEMSELVES INVOLVED IN COLLUSIVE SUITS IN ORDER TO REMAIN IN THE PHILIPPINES. IN ANY EVENT, EMBASSY BELIEVES IT IS UNWISE AND IMPRACTICAL TO SET ANY ARBITRARY GOAL FOR TOTAL NUMBER ON HOLD LIST AT ANY GIVEN POINT IN TIME.

4. CLEARLY, ADDITIONAL FISCALS WOULD BE HELPFUL IN THE ALONGAPO OFFICE AND WE HAVE REGULARLY MADE THIS POINT TO DEPT OF JUSTICE AUTHORITIES. THE PROBLEM ENCOUNTERED IN THIS CONNECTION IS ONE OF CLEARING FISCALS' APPOINTMENTS THROUGH MALACANANG, WHERE THERE SEEMS TO BE INEVITABLE DELAY. HOWEVER, IN VIEW OF OLONGAPO FISCAL'S PRESENT AUTHORITY TO DISMISS CASES, AND RELATIVE SPEED WITH WHICH HE HAS DONE SO, IT SHOULD BE RECOGNIZED THAT IF AND WHEN HE GETS ADDITIONAL HELP, HIS OFFICE MAY BE LESS PRONE TO DISMISS CASES AND WILL SUBJECT SOME OF OUR CASES TO CLOSER EXAMINATION. THIS COULD MEAN PROSECUTION OF MORE CASES THAN IS NOW THE CASE WITH CONSEQUENT RETENTION OF MORE PEOPLE ON INTERNATIONAL HOLD.

5. IN SUM, EMBASSY BELIEVES THAT LEGAL HOLD SITUATION AT SUBIC IS MOVING TOWARD ONE OF MANAGEABLE PROPORTIONS. WE WILL CONTINUE TO IMPRESS UPON GOP DEPT OF JUSTICE NEED TO REDUCE HOLD LIST FURTHER AND WILL PURSUE OTHER EFFORTS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 03601 300726 Z

WHICH OFFER PROSPECTS OF CONTRIBUTING TO THIS AIM.

BYROADE

CONFIDENTIAL

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 30 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: thigpegh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MANILA03601
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: CORE6
Film Number: n/a
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730344/aaaaipig.tel
Line Count: 120
Locator: TEXT ON-LINE
Office: ACTION EAP
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 73 STATE 051285
Review Action: RELEASED, APPROVED
Review Authority: thigpegh
Review Comment: n/a
Review Content Flags:
Review Date: 03 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03-Dec-2001 by shawdg>; APPROVED <14-Dec-2001 by thigpegh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> wfs 980120
Subject: N/A
TAGS: MARR, SNAR, RP, n/a
To: CINCPAC
CINCPACFLT
COMUSNAVBASE/ SUBIC
COMUSNAVPHIL/ SUBIC
EA
NAVY JAG
SECSTATE WASHDC

Type: TE

Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005